

**HB-2528**

Submitted on: 1/29/2020 2:05:53 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole K Galase	Hawaii Cattlemen's Council	Oppose	No

Comments:

**Testimony of the Hawaii Board of Veterinary Medicine**

**Before the  
House Committee on Agriculture  
Friday, January 31, 2020  
9:00 a.m.  
State Capitol, Conference Room 312**

**On the following measure:  
H.B. 2528, RELATING TO VETERINARIANS**

Chair Creagan and Members of the Committee:

My name is Gregory Zambrano, and I am the Executive Officer of the Hawaii Board of Veterinary Medicine (Board). The Board will be reviewing this bill at its next publicly noticed meeting in February.

The purposes of this bill are to amend Hawaii Revised Statutes chapter 471 to: (1) provide veterinarians who provide emergency care to an animal immunity from civil liability in the absence of gross negligence; (2) provide veterinarians who render emergency treatment, when there is no veterinarian-client-patient relationship, immunity from civil liability in the absence of gross negligence; (3) require veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe the event relates to dog fighting or animal abuse; and (4) give veterinarians immunity for civil liability for making these reports.

Thank you for the opportunity to testify on this bill.



**HAWAII VETERINARY MEDICAL ASSOCIATION**  
**P.O. Box 61309, Honolulu, Hawaii 96839-1309**

January 29, 2020

Committee on Agriculture  
Representative Richard P. Creagan, Chair  
Representative Lynn DeCoite, Vice Chair

RE: HB 2528, Relating to Veterinarians

Dear Committee on Agriculture,

On behalf of the Hawaii Veterinary Medical Association, I would like to express our support of HB 2528 and its amendments to the Veterinary Medicine Practice Act, HRS Chapter 471.

There are two components to this measure. The first establishes a Good Samaritan law for veterinarians who may without remuneration provide emergency medical care to an animal in need. The second establishes a process whereby animal abuse may be reported, in order to better protect that animal from future harm.

This measure encourages veterinarians to provide emergency care to critically sick or injured animals without fear of civil liability. Veterinarians are mandated to provide care under a valid and current veterinary-client-patient relationship (VCPR), so there can be confusion when dealing with an animal emergency when there is no owner present to establish a VCPR or if life-saving treatment needs to be provided before the establishment of a VCPR. This measure allows a veterinarian to be a "Good Samaritan" and provide emergency care outside of a valid VCPR, while also protecting the veterinarian when acting as a Good Samaritan in the time of an emergency to assist the animal in need.

We believe this measure also provides justified guidance to practicing veterinarians on reporting acts of animal abuse, cruelty, and staged fighting, similar to laws in 20 states including California, Oregon, Arizona, and Colorado. Reporting such events to law enforcement is beneficial to the community at large, as multiple studies have shown a link between perpetrators of animal abuse and human abuse such as child abuse, domestic violence, arson, and murder. When confronted with a clear case of animal abuse, veterinarians may feel conflicted between maintaining client confidentiality and wanting to protect the animal from further harm. In making animal abuse reporting a duty of the veterinarian, this measure relieves any responsibility of such judgment by the veterinarian

while protecting the veterinarian against any civil liability as a result of reporting such events.

Please SUPPORT HB 2528 to provide additional guidance and protections for veterinarians practicing in Hawaii. Thank you for the opportunity to submit testimony. Please contact me if I can answer any questions or be of further assistance on this matter.

Sincerely,

Jill Yoshicedo, DVM  
Executive Vice-President  
Hawaii Veterinary Medical Association

**HB-2528**

Submitted on: 1/30/2020 8:44:00 AM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Inga Gibson	Animal Welfare Institute	Support	Yes

Comments:

Honorable Chair Creagan and House Agriculture Committee Members

RE: STRONG SUPPORT FOR HB2528: Relating to Veterinarians

Thirty-one states either mandate or encourage veterinarians to report animal abuse and provide vets with immunity from civil and/or criminal liability for good-faith reporting. The American Veterinary Medical Association (AVMA) has a very firm policy calling for such reporting and provides the following extensive resources to Veterinarians:

<https://ebusiness.avma.org/Files/ProductDownloads/AVMA%20Suspected%20Animal%20Cruelty.pdf>

Further, the Animal Welfare Institute is committed to providing support to Hawaii Veterinarians reporting suspected cruelty via the below information and resources:

<https://awionline.org/awi-quarterly/2016-fall/veterinarians-can-help-fight-against-animal-abuse>

We respectfully urge your support of HB2528.

Chair Rep. Richard P. Creagan, Vice Chair Rep. Lynn DeCoite, and Members of the Committee  
on Agriculture  
Testimony in SUPPORT of HB 2528: Relating to Veterinarians  
Friday, Jan. 31, 2020  
9 a.m., Capitol room 312

I am writing in strong support of HB 2528.

I have worked in animal shelters for more than 10 years. Prior to coming to the Hawaiian Humane Society, I worked at a large nationally regarded open-admissions animal shelter in Denver, CO. Part of the reason that I endorse this bill is that the veterinary immunity laws in the state of Colorado are in line with the ideas set forth in this bill.

When I first began veterinary school, I specifically remember an orientation session where my classmates and I were informed that as veterinarians in Colorado, we were legally obligated to report animal abuse, neglect, or cruelty. It surprised me at first but after consideration, I realized that by making animal abuse reporting mandatory, it protected veterinarians. It protected us because it made us immune to any sort of prosecution or retribution for the reporting.

I have decided to dedicate my life to protection of homeless, neglected, and abused animals. To be the voice for those animals who cannot speak for themselves. By passing this bill, we will improve not only the lives of the animals of Hawaii but also the veterinarians who care for animals in the State of Hawaii.

I urge the committee to pass HB 2528.

Thank you for your time and consideration,

Kasey Carter, MS, DVM  
Chief Veterinarian, Hawaiian Humane Society  
kcarter@hawaiianhumane.org



**Hawaiian Humane Society**  
People for animals. Animals for people.

2700 Waialae Avenue Honolulu, Hawaii 96826  
808.356.2200 • [HawaiianHumane.org](http://HawaiianHumane.org)

Date: Jan. 30, 2020

To: Chair Rep. Richard P. Creagan  
Vice Chair Rep. Lynn DeCoite  
and Members of the Committee on Agriculture

Submitted By: Stephanie Kendrick, Public Policy Advocate  
Hawaiian Humane Society, 808-356-2217

RE: Testimony in support of HB 2528: Relating to Veterinarians  
Friday, Jan. 31, 2020, 9 a.m., Capitol room 312

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Aloha Chair Creagan, Vice Chair DeCoite and Committee Members,

On behalf of the Hawaiian Humane Society, thank you for considering our support for House Bill 2528, which provides veterinarians who provide emergency care to an animal with immunity from civil liability; provides veterinarians who render emergency treatment when there is no veterinarian-client-patient relationship with immunity from civil liability; and requires veterinarians to report to law enforcement events of animal injury, death, or abuse where there is reasonable cause to believe that it relates to dog fighting or animal abuse.

Veterinarians are compassionate people who invest an enormous amount of time and financial resources to obtain and retain the credentials that allow them to help our animals. They should not have to risk their livelihood to help animals in need. This bill will allow veterinarians to use their skills and expertise to render emergency aid to animals without the fear of civil liability as long as that aid is rendered in good faith and absent signs of gross negligence.

In addition, as the agency deputized to help enforce animal laws on Oahu, Hawaiian Humane strongly supports mandatory reporting of suspected animal cruelty. Veterinarians should not have to fear retaliation for doing the right thing. Animal cruelty is an underreported crime and compelling veterinarians to report suspected abuse in return for protection from civil liability will give law enforcement expert eyes and ears on the frontlines of animal care.

Ample research stretching back decades has established links between violence against animals and the abuse of people - especially children, domestic partners and elders.

- In one study of families under investigation for child abuse, co-occurrence of animal abuse ranged from 60% to 88%. These families utilized veterinary services at rates similar to non-abusive households. (Deviney, Dickert, & Lockwood, 1983).
- An Australian study reported that in 23% of cases where veterinarians suspected animal abuse, other forms of family violence were either known or suspected. (Gullone & Clarke, 2005).
- The public is more likely to report suspected animal abuse to their veterinarian than to the humane society or law enforcement agency. (Enns, 2006)

Mandatory reporting will help to protect our entire community.

Many jurisdictions around the country have laws similar to this bill. Its provisions are logical and will help to protect Hawaii's most vulnerable animals and people.

We urge the committee to pass HB 2528. Mahalo for your consideration.



**HB-2528**

Submitted on: 1/29/2020 12:15:37 AM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Oppose	No

Comments:

**HB-2528**

Submitted on: 1/29/2020 4:16:28 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support HB2528. Veterinarians should not be penalized for their compassion.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihe

**HB-2528**

Submitted on: 1/29/2020 9:00:18 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph	Individual	Support	No

Comments:

Aloha. I am writing to support HB2528. This bill would offer protection to veterinarians reporting suspected abuse/neglect.

I am an Oahu veterinarian, working primarily in small animal practice. I also volunteer at the Hawaiian Humane Society, spaying and neutering animals that do not have homes. I think that HB2528 will improve our community, our state, and our society.

I ask that you please pass HB2528 for the benefit of veterinary care in Hawaii and for the sake of our animal friends.

Sincerely,

Joseph Herzog, DVM

**HB-2528**

Submitted on: 1/30/2020 3:25:23 PM

Testimony for AGR on 1/31/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Harold Han Jr	Individual	Support	Yes

Comments: